

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

1	UNITED STATES OF AMERICA,	)	
2		)	
3	Plaintiff,	)	NO. CR-06-2061-FVS
4		)	
5	v.	)	ORDER GRANTING MOTION TO
6		)	REOPEN DETENTION ( <b>Ct Rec.</b>
7		)	<b>18</b> ) GRANTING MOTION FOR
8	CARY LEE TACKETT,	)	EXPEDITED HEARING ( <b>Ct. Rec.</b>
9		)	<b>21</b> ) AND DENYING ORAL MOTION
10	Defendant.	)	FOR RELEASE ( <b>Ct Rec. 34</b> )
11		)	
12		)	

---

On May 23, 2006, this court held a bail review hearing. Jane Kirk, Esq., appeared for the government. Defendant was present with counsel Alex B. Hernandez, III, Esq.

The defendant moved to reopen detention and made a motion for an expedited hearing.

The Court **granted** defendant's motion to reopen detention (**Ct Rec. 18**) and **granted** the motion to expedite (**Ct. Rec. 21**).

Counsel for the defendant **orally** moved for the defendant's release stating there are conditions which would assure defendant's appearance as required.

The Court found there remains an absence of condition or conditions that could be imposed that would reasonably assure this defendant's presence at trial and further, that the evidence is clear and convincing that there are no conditions that could be imposed which would protect community safety.

ORDER GRANTING MOTION TO REOPEN DETENTION  
GRANTING MOTION FOR EXPEDITED HEARING  
AND DENYING ORAL MOTION FOR RELEASE - 1

1 The Court **denied** defendant's oral motion for release  
2 (**Ct Rec. 34**).

3 **IT IS SO ORDERED.**

4 DATED this 23<sup>rd</sup> day of May, 2006.

5  
6 s/ MICHAEL W. LEAVITT  
7 United States Magistrate Judge  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28